IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

INCOME TAX APPEAL NO.129 OF 2003

The Commissioner of Income-tax,
Mumbai City 6, Mumbai. .. Appellant
v/s.

M/s. Aryavarta Petrochem & Allied
Industries Ltd. .. Respondent

Mr.R.Asokan i/by Mr.K.B.Rao for appellant.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 22nd September, 2004

P.C.

The learned counsel for the revenue submits that the issue raised in the appeal stands concluded by the judgment of the Supreme Court in Commissioner of Income-Tax v. Indo Nippon Chemicals Co.Ltd., 261 ITR 275 and in view thereof, he has instructions to withdraw the appeal.

2. We accept the statement of the learned counsel and allow the appeal to be withdrawn.

3. Refund of court fee as per law.

(R.M.LODHA, J.)

(J.P.DEVADHAR, J.)